

Message Text

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ACTION EB-08

INFO OCT-01 NEA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 H-01
SS-15 NSC-05 /052 W
-----230429Z 071636 /22

R 221539Z APR 77

FM AMEMBASSY BEIRUT

TO SECSTATE WASHDC 3774

INFO AMEMBASSY ROME

C O N F I D E N T I A L BEIRUT 1854

ROME FOR RCAA

E.O. 11652: GDS

TAGS: EAIR LE

SUBJ: CIVAIR-U.S.-LEBANESE NEGOTIATIONS

REF: (A) STATE 60949, (B) BEIRUT 1466, (C) STATE 80126,
(D) STATE 82343

1. DCM HAS DISCUSSED STATE OF PLAY IN U.S.-GOL CIVAIR NEGOTIATIONS WITH BOTH DG OF CIVIL AVIATION BEYDOUN AND TMA PRESIDENT MUNIR ABU HAYDAR DURING PAST WEEK. IT APPEARS FROM THESE DISCUSSIONS THAT LEBANESE ARE RECONCILED TO 1) ELIMINATION OF TMA'S ROUND-THE-WORLD SERVICE, 2) LIMITATION OF TMA'S FREQUENCIES TO U.S. TO FOUR NARROW-BODIED FLIGHTS PER WEEK OR EQUIVALENT (AT 2:1 RATION), AND 3) FACT THAT MEA WILL NOT BE AUTHORIZED TO OPERATE TO THE U.S. (THIS LATTER POINT MAY BE ONLY ACADEMIC SINCE WE UNDERSTAND MEA HAS WET-LEASED ITS THREE 747S, TWO TO SAUDI ARABIA AND ONE TO GABON.)

2. FROM DISCUSSIONS WITH BEYDOUN AND ABU HAYDAR, IT APPEARS THAT GOL PROBLEMS WITH USDEL FINAL PROPOSAL (STATE 60949, PARA 3) CENTER ON THREE POINTS:

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A. TMA CHARTER. ABU HAYDAR PROFESSES NOT TO KNOW THE MEANING OF PHRASE "CHARTERS WILL NOT BE UTILIZED AS A MEANS TO CIRCUMVENT AGREED SERVICE LEVELS." HE EXPRESSED INTEREST IN HAVING THIS SPELLED OUT AND DEFINED MORE CLEARLY IN ORDER TO AVOID MISUNDERSTANDINGS LATER. FOR EXAMPLE, EXACTLY WHAT SORT OF CHARTERS WOULD TMA BE PERMITTED IN ADDITION TO ITS FOUR FLIGHTS A WEEK?

B. CARTE BLANCHE FOR U.S.-DESIGNATED AIRLINES. BOTH BEYDOUN AND ABU HAYDAR REPEATED THAT THEY THOUGHT IT WAS UNFAIR AND UNREASONABLE FOR USG TO ASK FOR COMPLETE FREEDOM FOR U.S.-DESIGNATED AIRLINE TO OPERATE WHEN, WHERE AND AS OFTEN AS IT WISHED (STATE 60949, PARA 3-3). AS THEY SEE IT, IF GOL WERE TO ACCEPT THIS PROVISION, PAN AM WOULD HAVE THE RIGHT, FOR EXAMPLE, TO INAUGURATE DAILY NON-STOP 747 LONDON-BEIRUT SERVICE AT THE SAME TIME AS MEA AND THEREBY DESTROY ONE OF MEA'S MOST PROFITABLE RUNS. THIS PROVISION MIGHT ALSO ENABLE PAN AM TO PARTICIPATE IN TRAFFIC FROM BEIRUT TO THE GULF. HOW, THEY ASK, COULD USG EXPECT GOL TO AGREE TO SUCH A PROVISION THAT COULD RUIN MEA?

D. DURATION OF AGREEMENT. THIS POINT IS RELATED TO CARTE BLANCHE FOR DESIGNATED U.S. CARRIER. ABU HAYDAR IMPLIED THAT GOL MIGHT BE ABLE TO ACCEPT PARA 3-C AS WRITTEN IF THE AGREEMENT WERE FOR A SHORT PERIOD SINCE ANY PAN AM OPERATION DURING A LIMITED TIME FRAME WOULD OBVIOUSLY BE LESS DAMAGING TO MEA. IF USG WANTED A LONGER-TERM AGREEMENT, HOWEVER, THERE WOULD HAVE TO BE SOME PROTECTION FOR LEBANESE CARRIER BUILT IN.

3. BOTH BEYDOUN AND ABU HAYDAR ALSO EXPRESSED INTEREST IN RETAINING IN A NEW CIVAIR AGREEMENT SOME REFERENCE TO THE MEMORANDUM OF CONSULTATION OF JUNE 13, 1972. IN THEIR VIEW, THIS DOCUMENT IMPOSES AT LEAST A MORAL OBLIGATION ON THE USG TO CONSIDER ANY DAMAGE THAT U.S. AIRLINES OPERATIONS IN BEIRUT MIGHT CAUSE TO LEBANESE CARRIER. ABU HAYDAR SUGGESTED THAT IF VALIDITY OF THIS MEMORANDUM COULD BE CONFIRMED GOL MIGHT BE ABLE TO LIVE WITH CARTE BLANCHE FOR U.S.-DESIGNATED AIRLINES FOR A LIMITED PERIOD.

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4. COMMENT: ABU HAYDAR WAS AWARE OF CAB ALJ DECISION (REF D). HE WAS ANXIOUS TO MAKE THE POINT THAT LEBANESE WERE NOT DRAGGING THEIR FEET BUT WERE ANXIOUS TO RESUME NEGOTIATIONS AS SOON AS POSSIBLE. EVEN THOUGH QUESTION OF CARTE BLANCHE FOR DESIGNATED U.S. CARRIER DOES NOT DIRECTED AFFECT HIS AIRLINE, HE IS CONCERNED THAT GOL WILL NOT SIGN AN AGREEMENT OF ONLY LIMITED VALUE TO TMA IF SUCH AGREEMENT HAS THE POTENTIAL TO RUIN MEA, WHICH IS ALREADY IN TROUBLE FINANCIALLY. ALTHOUGH WE UNDERSTAND PAN AM HAS NOT YET DECIDED IF, WHEN, OR HOW IT WILL RESUME OPERATIONS IN BEIRUT, WE WONDER IF IT WOULD NOT BE POSSIBLE TO FIND SOME FORMULA THAT WOULD REASSURE LEBANESE THAT PARA 3-C, REF A WILL NOT BE USED BY A DESIGNATED U.S. CARRIER IN A WAY THAT WOULD HAVE RUINOUS EFFECT ON MEA.

5. LEBANESE REALIZE THAT THEY (READ TMA) HAVE BENEFITTED FAR MORE FROM GOL-U.S. CIVIL AIR AGREEMENT OVER PAST TWO YEARS THAN U.S. CARRIER AND THAT "HONEYMOON IS OVER" (AS THEY WERE APPARENTLY TOLD IN WASHINGTON). AT SAME TIME, THEY POINT OUT THAT U.S. CARRIERS BENEFITTED FAR MORE THAN LEBANESE AIRLINES FROM 1950'S

UNTIL 1971 WHEN TMA BEGAN OPERATIONS. WE HOPE THAT USG NEGOTIATING POSITION WILL RETAIN SUFFICIENT FLEXIBILITY TO PERMIT CONCLUSION OF AN AGREEMENT THAT WILL ENABLE LEBANON'S AIRLINES TO CONTINUE THEIR IMPORTANT CONTRIBUTION TO THE COUNTRY'S ECONOMIC RECOVERY.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, AVIATION AGREEMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BEIRUT01854
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770141-0978
Format: TEL
From: BEIRUT
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770431/aaaabaav.tel
Line Count: 122
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 713430a1-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 60949, 77 BEIRUT 1466, 77 STATE 80126, 77 STATE 82343
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2730514
Secure: OPEN
Status: NATIVE
Subject: CIVAIR-U.S.-LEBANESE NEGOTIATIONS
TAGS: EAIR, LE
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/713430a1-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009